

**ORDINANCE NO. 17
SERIES 2005**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON AMENDING THE ZONING DISTRICT CLASSIFICATION OF THE REAL PROPERTY DESCRIBED AS THE MEADOWS VILLAGE SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF RECORDED IN THE OFFICE OF THE GUNNISON COUNTY CLERK AND RECORDER, BEARING RECEPTION NO. 554848, CITY OF GUNNISON, COUNTY OF GUNNISON, STATE OF COLORADO, FROM PUD R-2M AND PUD R-3 TO PUD R-1M; AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF GUNNISON.

WHEREAS, pursuant to the provisions of Section 15-15-2(B) of the City Code of the City of Gunnison, the Community Development Director initiated an application to amend the zoning district classification and the official zoning map for the real property described as the Meadows Village Subdivision, according to the official plat thereof recorded in the office of the Gunnison County Clerk and Recorder bearing Reception No. 554848, City of Gunnison, County of Gunnison, State of Colorado; and

WHEREAS, the developer and owner of the majority of the property contained in the Meadows Village Subdivision has consented to said rezoning; and

WHEREAS, The Planning and Zoning Commission of the City of Gunnison, Colorado, held public hearings on said application pursuant to notice published in accordance with the City Code of the City of Gunnison, Colorado, on October 26, 2005; and

WHEREAS, on November 9, 2005, the Planning and Zoning Commission recommended approval of the requested amendment and forwarded its recommendation to the City Council for its consideration; and

WHEREAS, the City Council of the City of Gunnison, Colorado, held a public hearing on November 22, 2005, regarding the application to amend the zoning district classification of said property; and

WHEREAS, the City Council heard public testimony and considered the amendment in relation to Section 15-15-6 of the City Code of the City of Gunnison regarding review standards for amendments.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ORDAINS THAT:

Section 1. Based upon the application seeking a zoning amendment of the property hereinafter described, the evidence presented to the City Council during the public hearing on the application, and the recommendation of the Planning and Zoning Commission of the City of Gunnison, Colorado, the City Council hereby finds as follows:

A. The application was initiated by the Community Development Director in accordance with the provisions of Section 15-15-2(B) of the City Code of the City of Gunnison.

B. All of the procedures set forth in Section 15-15-3 of the City Code of the City of Gunnison have been followed.

C. The proposed rezoning satisfies the criteria established for zoning amendments set forth in Section 15-15-6 of the City Code of the City of Gunnison.

D. The granting of the rezoning request to the zone district classification of PUD R-1M with the dimensional standards as set forth in the Lot Regulation Table attached hereto and made a part of this ordinance will bring the zoning classification of the property hereinafter described

into conformance with the uses allowed by the Declaration of Covenants, Conditions, and Restrictions for Meadows Village recorded June 21, 2005, at Reception No. 554849 of the records of the Gunnison County Clerk and Recorder, and will provide further protection of the expectations of individuals who purchase lots within Meadows Village.

E. The proposed amendment will protect the engineered drainage and circulation system incorporated into the design of the Meadows Village Subdivision.

Section 2. Based on the foregoing findings, the City Council of the City of Gunnison, Colorado, has determined that the rezoning of the property hereinafter described will protect the public health, safety, and welfare of the community and be in the best interests of the City of Gunnison, Colorado, and its citizens.

Section 3. The zoning classification of the real property described as Meadows Village, according to the official plat thereof bearing Reception No. 554848 of the records of the Gunnison County Clerk and Recorder, City of Gunnison, County of Gunnison, State of Colorado, is hereby changed from PUD R-2M and PUD R-3 to PUD R-1M.

Section 4. The Meadows Village Lot Regulation Table, attached hereto and incorporated herein by this reference, shall be used to regulate the dimensional standards and uses of individual lots within said Meadows Village.

Section 5. The official zoning map of the City of Gunnison, Colorado, shall be amended to reflect the change in the zoning district classification.

INTRODUCED, READ, PASSED, AND ORDERED PUBLISHED, this 22nd day of November, 2005, on first reading, and introduced, read, passed and adopted on second and final reading this 13th day of December, 2005.

Mayor

(SEAL)

ATTEST:

Deputy City Clerk